

13142 U.S. PTO  
09/10/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
REQUEST FOR FILING NATIONAL PATENT APPLICATION  
Under 35 USC 111(a) and Rule 53(b)

PATENT APPLICATION

Mail Stop Patent Application  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

WITH SIGNED DECLARATION

NONPROVISIONAL  
NON REISSUE  
NON PCT NAT PHASE

22141 U.S. PTO  
10/659948  
09/10/03

Sir:

Herewith is the PATENT APPLICATION of  
Inventor(s): Timothy A. Hovanec

Title METHOD OF USING AMMONIA-OXIDIZING BACTERIA

Atty. Dkt.: P 0294309 | 081289  
M# Client Ref

including:

Date: September 10, 2003

1. Specification: 61 pages (only spec. and claims)  2.  Specification in non-English language
3. Declaration  Original  Facsimile/Copy  Abstract 1 page(s); 21 numbered claims
4.  Drawings: 10 sheet(s)  informal;  formal of size:  A4  11"
5.  See top first page re prior Provisional, National or International application(s). ("X" box only if info is there and do not complete corresponding item 6 or 7). (Prior M# 264667 SN 09/573,684)
6. This application claims benefit of the following prior US application(s), the contents of which are incorporated into this application by this reference:

No. / filed  
No. / filed  
No. / filed  
No. PCT / filed , which

designated the US.

7.  See the attached Preliminary Amendment, which amends the specification to claim benefit of the above listed US application(s)

8.  Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.  
9.  Assignee Aquaria, Inc.

Address 6100 Condor Drive, Moorpark, CA 93021

10. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in \_\_\_\_\_

11. \_\_\_\_\_ (country)

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	
(7)		(8)	
(9)		<input type="checkbox"/> See 3 <sup>rd</sup> page for additional priorities	

12. \_\_\_\_\_ (No.) Certified copy (copies):  attached;  previously filed (date) \_\_\_\_\_  
in U.S. Application No. \_\_\_\_\_ / filed on \_\_\_\_\_

13. Small entity status →  is not claimed;  is claimed (Pre-filing confirmation required)

13(a).  Attached: \_\_\_\_\_ (No.) Small Entity Statement(s) (since 9/8/00 small entity statement(s) not essential to make claim)

13(b)  See NONPUBLICATION REQUEST under Rule 213(a) attached (PAT-258)

14. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) 60/386,217	September 19, 2002	(4) 09/573,684	May 19, 2000
(2) 60/386,218	September 19, 2002	(5)	
(3) 60/386,219	September 19, 2002	(6)	

15.  This application is being filed under Rule 53(b)(2) since an inventor is named in the enclosed Declaration who was not named in the prior application.

16.  Attached: Sequence diskette, hard copy of sequence listing, and statement to support filing of sequences

17.  Preliminary Amendment:

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

				Large/Small Entity	Fee Code
18. Basic Filing Fee				\$750/\$375	\$750 101/201
19. Total Effective Claims	21	minus 20 =	*1	x \$18/\$9 =	+ 18 103/203
20. Independent Claims	7	minus 3 =	*4	x \$84/\$42 =	+ 336 102/202
*If answer is zero or less, enter "0"					
21. If any proper multiple dependent claim (ignore improper) is present, add (Leave this line blank if this is a reissue application)				+ \$280/\$140	+ 0 104/204
22.				<b>TOTAL FILING FEE =</b>	<b>\$1104</b>
23. If "non-English" box 2 is X'd, add Rule 17(k) processing fee				+ \$130	+ 0 139
24. If "assignment" box 8 is X'd, add recording fee				+ \$40	+ 40 581
25. <input type="checkbox"/> Attached is a Petition/Fee under Rule No.				+ \$130	+ 0 122
26. Check in amount of \$1104 is enclosed				<b>TOTAL FEE =</b>	<b>\$1144</b>
Our Deposit Account No.	16-1805				<b>PLEASE CHARGE OUR DEP. ACCT.</b>
Our Order No.	081289	0294309			
C#		M#			

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.

This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP**  
**Intellectual Property Group**

725 South Figueroa Street, Suite 2800  
Los Angeles, CA 90017-5406  
Tel: (213) 488-7100

By Atty: Seth D. Levy

Reg. No. 44,869

SDL/LEB

NOTE: File in duplicate with 2 post card receipts (PAT-103) & attachments



Fax: (213) 629-1033  
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PATENT  
081289-0294309

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Timothy A. Hovanec	Group No.: unassigned
Serial No.: unassigned	Examiner: unassigned
Filed: September 10, 2003	
For: AMMONIA-OXIDIZING BACTERIA	

CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL

"Express Mail" Mailing Label No. EV 235024405 US  
Date of Deposit: September 10, 2003

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

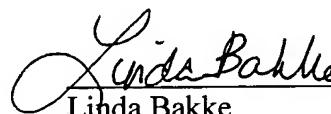
I hereby certify that

- Letter of transmittal (w/ check for \$1,104.00)
- Patent application (61 pages of specification; 21 claims; 1 page of abstract)
- Formal Drawings (10 sheets)
- Information Disclosure Statement and Form 1449 (7 references)
- Sequence diskette, hard copy of sequence listing and statement to support filing of sequences
- Declaration
- Assignment (w/cover sheet and \$40 check)
- Return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 CFR 1.10 on the date indicated above and are addressed to:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

September 10, 2003  
Date of Deposit

  
Linda Bakke